

**The City of Springfield, Ohio**  
**City Commission Public Hearing Minutes**  
**Tuesday, October 26, 2021 – 6:50 p.m.**  
**City Hall Forum**

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**262-21      Vacating South Murray Street from East Main Street south to the intersection of Section Street, and the vacation of Section Street from Penn Street approximately 395 feet to the dead end.**

The public hearing was called to order by Assistant Mayor Chilton. Roll Call was answered by Mrs. Chilton, Dr. Estrop, Mr. O'Neill, Mr. Rue, and President Copeland.

Mrs. Chilton inquired from the Clerk if proper legal notice was given on such public hearing.

The Clerk read a communication relative thereto, attached to which were copies of the public hearing notices. Said notices were published in the *Springfield News-Sun* on October 5 and 12, 2021.

On motion of Dr. Estrop, seconded by Mr. O'Neill, the communication and notice were ordered received, recorded in the minutes, and filed.

Yeas, Mr. Copeland, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mrs. Chilton.

Yeas 5, Nays 0.

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October 26, 2021

Honorable City Commission  
The City of Springfield, Ohio

Honorable Commissioners:

Notice was published in the *Springfield News-Sun*, a newspaper of general circulation within the City, advertising the City Commission's consideration of vacating South Murray Street from East Main Street south to the intersection of Section Street and the vacation of Section Street from Penn Street east approximately 395 feet to the dead end.

Attached hereto are true and correct copies of the Notices of Public Hearing published on October 5 and 12, 2021.

Respectfully submitted,

Jill R. Pierce  
Clerk of the City Commission

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First Notice

NOTICE OF PUBLIC HEARING  
PROPOSED RIGHT-OF-WAY VACATION

Notice is hereby given that on July 20, 2021, George Leibold, owner of 812 Champion Ave., filed with the Clerk of the City Commission of The City of Springfield, Ohio, a certain petition praying for the vacation of South Murray Street from East Main Street south to the intersection of Section Street, and the vacation of Section Street from Penn Street east approximately 395 feet to the dead end.

Notice is hereby further given that a Public Hearing will be held on Tuesday, October 26, 2021, at 6:50 p.m. (local time), in the City Commission Forum, City Hall, 76 East High Street, Springfield, Ohio, to consider the vacation of said right-of-way. Details on how to participate can be found on the City's website, [www.springfieldohio.gov](http://www.springfieldohio.gov) or by calling the City Clerk's Office at 937-324-7341.

By order of the City Commission of The City of Springfield, Ohio.

Jill R. Pierce  
Clerk of the City Commission  
10-5/2021

Second Notice

NOTICE OF PUBLIC HEARING  
PROPOSED RIGHT-OF-WAY VACATION

Notice is hereby given that a Public Hearing will be held on Tuesday, October 26, 2021, at 6:50 p.m. (local time), in the City Commission Forum, City Hall, 76 East High Street, Springfield, Ohio, to consider the vacation of South Murray Street from East Main Street south to the intersection of Section Street, and the vacation of Section Street from Penn Street east approximately 395 feet to the dead end. Details on how to participate can be found on the City's website, [www.springfieldohio.gov](http://www.springfieldohio.gov) or by calling the City Clerk's Office at 937-324-7341.

This notice has been published on the State of Ohio public notice website at [www.publicnoticesohio.com](http://www.publicnoticesohio.com) and can also be viewed at [www.springfieldnewssun.com](http://www.springfieldnewssun.com).

By order of the City Commission of The City of Springfield, Ohio.

Jill R. Pierce  
Clerk of the City Commission

Vaidehe Agwan, Planning, Zoning & Code Administrator, City of Springfield, Ohio  
76 East High Street, 937-521-8096, [vagwan@springfieldohio.gov](mailto:vagwan@springfieldohio.gov)  
10-5/2021



Mrs. Chilton then called upon City Planner Agwan for a staff report. She reported as follows:

### **GENERAL INFORMATION**

On July 20, 2021, applicant George P. Leibold, 812 Champion Avenue, Springfield, Ohio 45503, filed a request to vacate South Murray Street from East Main Street south to the intersection of Section Street, and the vacation of Section Street from Penn Street east approximately 395 feet to the dead end. The owner/applicant would like to use the vacated alley space for private use. However, the property owner is operating the premises as a salvage yard without receiving permits/licenses. The CI-1 Intensive Commercial District does not permit the property to be used as a salvage yard.

### **RETURNED REPORTS**

Columbia Gas:	No objections.
Spectrum:	No objections as of September 10, 2021. Requested information from applicant.
AT&T:	No response as of September 10, 2021.
Ohio Edison:	No response as of September 10, 2021.
City Service Department:	Recommends approval provided easements are retained for the existing public water and sewer lines located on South Murray.
Fire Division:	Recommends approval.
Building Inspections:	Recommends approval.
Police Division:	Recommends approval.
City Manager's Office:	Recommends denial stating that the property owner has not maintained the property as agreed with the city. The owner needs to remove all junk vehicles, remove all trash/debris/tires, and repair all buildings prior to vacation.
Planning and Zoning:	Recommends approval although the applicant would need to clear all junk/trash as requested by the city as there is an active code enforcement case pending.

### **RECOMMENDATION**

Staff recommended approval of the applicant's request to vacate alleyways. The staff requests the applicant to bring the property use and function into compliance with the Zoning Code as a salvage yard is not permitted in this zoning district. There were no objections received by staff nor at the City Planning Board meeting. Members of the City Planning Board had a split vote of four yeas, two nays, and one abstention on the request to vacate the subject rights of way.

### **COMMENTS**

Mrs. Chilton asked if there were comments from the Commission.

Dr. Estrop suggested delaying the proposed right of way vacation consideration for four weeks to give the applicant additional time to remove the junk and trash accumulation in the area.

Mr. George Leibold, applicant, stated he owns all of the properties adjoining proposed vacation, some of the cars have been removed from the area, and extensive repair work has been completed on the building.

Mrs. Chilton asked if Mr. Leibold needs a salvage yard license to operate and if a cross access agreement had been signed. Ms. Agwan stated the property is zoned CI-1 which does not permit salvage yards unless a conditional use permit is granted by the Board of Zoning Appeals. She also noted there is no signed access agreement at this time.

Mr. Rue asked if there existing code violations on this property. Ms. Agwan stated there are active code enforcement cases for the property.

Mr. Leibold noted that he has had a salvage yard license since the 1970s but it is not current at this time.

Mr. Copeland noted the property has not be kept clean for a long time.

Mr. Rue noted the property has looked like a salvage yard along the bike path and agreed the case should be postponed for additional clean-up of the property.

Community Development Deputy Director Thompson stated the property was a formerly used as salvage yard. The property is not currently zoned for this use, but he could re-establish the business as a non-conforming use by approval of the Board of Zoning Appeals. The applicant has not had an active license for several years.

Mr. Leibold stated the property has looked bad and plans to work to make it better.

Mrs. Chilton asked if there were comments from the audience. There were none.

**MOTION**

On a motion of Dr. Estrop, seconded by Mr. Copeland, the public hearing was postponed for four weeks (until November 23, 2021) to give the applicant additional time to work on the property.

Yeas, Mr. Copeland, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mrs. Chilton.

Yeas 5, Nays 0.

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There being no further business, on motion of Dr. Estrop, seconded by Mr. O'Neill, the public hearing adjourned.

Yeas, Mr. Copeland, Dr. Estrop, Mr. O'Neill, Mr. Rue, and Mrs. Chilton.

Yeas 5, Nays 0.

  
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ASSISTANT MAYOR AND PRESIDING OFFICER

  
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PRESIDENT OF THE CITY COMMISSION

  
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CLERK OF THE CITY COMMISSION